

Cedar City, Utah.
June 21, 1938.

T.H.Humpherys, State Engineer,
Salt Lake City, Utah.

Dear Mr.Humpherys,--

For some time a problem has been developing between the field Owners of Primary water in Coal Creek and Cedar City Corporation. This problem pertains mainly to the use of the water from Chatterley Spring in Cedar Canyon and normally flows approximately four tenths of a second foot.


I am enclosing a copy of an agreement drawn in 1931 . Seals of the several parties were never affixed to this instrument, however during the years 1931,2,3,4,5 & 6, different sums was paid the Fields by Cedar City based on ~~this~~ this agreement and ranged in sums from \$400.00 to \$600.00. For the year 1937 the City refused to pay and still refuses to pay. As a result of the City's refusal to pay the Field owners have requested me to divert the waters of the Chatterley Spring back into the waters of Coal Creek.

I realize that this so called lease has nothing to do with your office, however the Field Primary water users in Coal Creek take the stand that Cedar City is appropriating water which belongs to the fields without due consideration. I informed the Filed Primary Users that I would refer their request to you and that if it was your opinion that the Water Commissioner should turn the waters of Chatterley Spring back into Coal Creek you would authorize me to do so.

I have discussed the matter several times with R.J. Shay, Attorney for Cedar City, Mr. Shay informs me they have a Restraining Order out of the Fifth Judicial District Court ready to serve on anyone attempting to divert the Chatterley Spring from the City ~~an~~ water system. Several meetings have been held with the City Council and representatives from the Fields and it is hoped that an agreeable settlement will still be reached.

I hope I have made myself clear and that you will inform me within the very near future what action to take in case the ~~Filed~~ Fields insist on their request being granted. Untill I hear from you I am NOT going to bother the Chatterley Spring.

Yours very truly


J.T. Leigh
Coal Creek Com.

